

STAND. COM. REP. NO.

2977

Honolulu, Hawaii

MAR 01 2024

RE: S.B. No. 3114
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 3114, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE CHILD ABUSE AND NEGLECT CENTRAL REGISTRY,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Clarify that a confirmed report of harm or threatened harm, as defined in chapter 587A, Hawaii Revised Statutes, or child abuse and neglect, as defined in chapter 350, Hawaii Revised Statutes, will result in the maintenance of the perpetrator's name in Hawaii's Child Abuse and Neglect Central Registry;
- (2) Clarify when a confirmed report may be expunged from the Central Registry; and
- (3) Establish a process for expungement from the Central Registry upon request.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of Human Services, and one individual.



Your Committee received testimony in opposition to this measure from the Hawaii Coalition for Child Protective Reform.

Your Committee finds that when the Department of Human Services confirms that a person is the perpetrator of child abuse or neglect, and the person's name is placed in the Central Registry, the information remains in the Central Registry indefinitely unless it is expunged. The Central Registry's information can be used as a basis for licensing and employment decisions and may also affect a person's ability to adopt a child. Information in the Central Registry can only be expunged if the report of abuse or neglect is later determined to be unconfirmed or through a judicial proceeding. This measure will clarify the process to challenge a Department of Human Services investigation and provide certain individuals with a way to have their information expunged from the Central Registry.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3114, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,

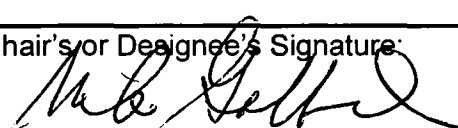


KARL RHOADS, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
 Committee on Judiciary
 JDC

Bill / Resolution No.:*	Committee Referral:	Date:
SB 3114, SD1	HHS, JDC	02 23 24
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____		
The Recommendation is:		
<input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313		
Members	Aye	Aye (WR)
Nay	Excused	
RHOADS, Karl (C)	✓	
GABBARD, Mike (VC)	✓	
ELEFANTE, Brandon J.C.	✓	
SAN BUENAVENTURA, Joy A.		✓
AWA, Brenton	✓	
TOTAL	4	—
Nay	—	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature: 		
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy		

*Only one measure per Record of Votes